

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: _____)
LARRY EDWARD MILLER AND) BANKRUPTCY NO. 18-00104
KAREN FRANCES MILLER,) CHAPTER 13
Debtors,)
U.S. BANK TRUST NATIONAL)
ASSOCIATION AS TRUSTEE OF THE)
LODGE SERIES III TRUST,)
Movant,) Docket No. _____
v.)
LARRY EDWARD MILLER,)
KAREN FRANCES MILLER AND)
CHARLES J. DEHART, III, TRUSTEE,)
Respondents.)

CONSENT ORDER/STIPULATION AGREEMENT

AND NOW, this ___ day of October, 2019, upon the Motion of U.S. Bank Trust National Association as Trustee of the Lodge Series III Trust (“Movant”) to approve Consent Order/Stipulation Agreement with regard to a secured debt that Movant holds against real property located at 301 Walnut Street, Highspire, Pennsylvania 17034 (the “Real Property”) evidenced by claim no. 1-1, it is hereby agreed as follows:

Larry Edward Miller and Karen Frances Miller (hereafter “Debtors”) acknowledge and agree that the following monthly post-petition mortgage payments are due as follows:

Payments 4/1/19 - 10/1/19 (\$912.09 each)	<u>\$ 6,384.63</u>
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TOTAL (“ARREARS”)	\$ 6,384.63
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1. On or before October 30, 2019 the Debtors shall file an Amended Ch. 13 Plan that provides for payment in full of the Arrears outlined herein, along with any remaining pre-petition arrears that were provided for in Movant’s Claim. The Debtors shall also continue to make regular monthly payments of \$912.09, beginning with the November 2019 payment. In the event the regular monthly payment changes for any reason, then the amount due pursuant to this Paragraph shall be adjusted accordingly. Thereafter, the Debtors agree to continue making the regular monthly mortgage payments.

2. Debtors shall send all payments due directly to Movant at the address below:

U.S. Bank Trust, National Association
As Trustee of the Lodge Series III Trust
c/o BSI Financial Services
314 S. Franklin Street, 2nd Floor
Titusville, Pennsylvania 16354

3. In the event Debtors fail to make any of the payments set forth hereinabove (or real estate taxes and/or hazard insurance on the Real Property when due) on or before their due dates, Movant and/or Movant's counsel may give Debtors and Debtors' counsel notice of this default. If Debtors do not cure the default within ten (10) days of receipt of notice, Movant may file a Certification of Default with the Court, and request an Order, with a copy to Debtors and Debtors' counsel, granting Movant immediate relief from the bankruptcy stay with regard to the Real Property.

4. The failure by the Movant, at any time, to file a Certification of Default upon default by the Debtors shall not be construed, nor shall such failure act, as a waiver of any of Movant's rights hereunder.

5. Upon issuance of the aforesaid Order granting Movant immediate relief from stay, the parties hereto further agree that the Movant may proceed in state court to exercise all rights and remedies available to it as a mortgagee and creditor under state and federal law including, but not limited to, the initiation or and or continuation of foreclosure and execution proceedings against the Real Property through sheriff's sale and ejectment thereafter.

6. In the event Debtors convert to a bankruptcy under Chapter 7 of the Bankruptcy Code then Debtors shall pay all pre-petition arrears and post-petition arrears within ten (10) days from the date that the case is converted. If Debtors fail to make payments in accordance with this paragraph then Movant, through counsel, may file a certification setting forth said default and the Movant shall be granted immediate relief from the bankruptcy stay with regard to the Real Property.

7. It is further agreed that the 14 day stay provided by Rule 4001(a)(3) is hereby waived.

BY THE COURT:

J.

Agreed to this 1st day of October, 2019

/s/ Michael C. Mazack
Michael C. Mazack, Esq.
Pa. I.D. # 205742
501 Smith Drive, Suite 3
Cranberry Township, PA 16066
Phone: (724) 776-8000
Fax: (724) 776-8001
Email: mmazack@lynchlaw-group.com

/s/ Kara Katherine Gendron
Kara Katherine Gendron, Esq.
Mott & Gendron Law
125 State Street
Harrisburg, PA 17101